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Attorneys for Plaintiff and Real Party in Interest

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

INTERNATIONAL CHURCH)	Case No.: CO7-03605-PJH-JCS
FOURSQUARE GOSPEL,)	
)	DECLARATION OF KEVIN T.
Plaintiff,)	SNIDER IN SUPPORT OF MOTION
)	FOR PARTIAL SUMMARY
)	ADJUDICATION ON
v.)	DEFENDANTS' AFFIRMATIVE
)	DEFENSES
CITY OF SAN LEANDRO, et. al.)	
)	
Defendants.)	
<hr/>		Date: September 3, 2008
		Time: 9:00 a.m.
FAITH FELLOWSHIP FOURSQUARE)	Courtroom: 3
CHURCH,)	Hon.: Phyllis J. Hamilton
)	
Real Party in Interest.)	
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DECLARATION OF KEVIN T. SNIDER

1 I, Kevin T. Snider, do hereby declare as follows:

2
3 1. That I am an attorney of record in the above-encaptioned case, that if
4 called upon I could and would testify truthfully, as to my own personal knowledge,
5 as follows:

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7 2. Exhibit 1 is a correct and true copy of pages 1, 19-21 of Defendants'
8 Answer (Case 3:07-cv-03605-PJH Document 92 Filed 11/15/2007). On pages 19-
9 21 of the Answer, there are seventeen Affirmative Defenses, which are the subject
10 of this Motion for Partial Summary Judgment.

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12 3. Exhibit 2 is a true and correct copy of pages 1, 5, and 6 of Plaintiff's
13 Interrogatories propounded on Defendants on July 12, 2007. Interrogatory No. 13
14 states, "For each affirmative defense in City Of San Leandro's Answer To First
15 Amended Complaint For Violation Of Constitutional Rights And The Religious
16 Land Use And Institutionalized Persons Act, filed with the Court on November 15,
17 2007, state all facts which support said affirmative defenses."

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19 4. Exhibit 3 is a true and correct copy of Pages 1, and 7 through 12 of
20 Defendants' response to Plaintiff's Interrogatories.

21
22 5. Exhibit 4 is a true and correct copy of pages 1 and 2 of Plaintiff's
23 Request for Admissions propounded on Defendants on July 12, 2007. Request for
24 Admission 1 states, Please admit that each of the following statements is true: "The
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DECLARATION OF KEVIN T. SNIDER

1 Religious Land Use and Institutionalized Persons Act of 2000 (42 U.S.C. § 2000cc)
2 is constitutional.”

3 6. Exhibit 5 is a true and correct copy of Pages 1 and 2 of Defendants’
4 Response to Plaintiff’s Request for Admission. Defendants’ response to request for
5 Admission that RLUIPA is Constitutional is: “Deny.”

6
7 7. Exhibit 6 is a true and correct copy of pages 1, 52 and 72 of the
8 Deposition of Elford H. Clark, General Legal Counsel for ICFG.
9

10 8. Exhibit 7 is a true and correct copy of pages 1 and 16 of the Deposition
11 of Debbie Pollart, former Planning Manager of the City of San Leandro.
12

13 I declare, under penalty of perjury under the laws of the State of California
14 and the United States of America, that the foregoing is true and correct and is of my
15 own personal knowledge, and indicate such below by my signature executed on this
16 25th day of July, 2008, in the County of Alameda, City of San Leandro.
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21 /S/ Kevin Snider
22 Kevin T. Snider, Declarant
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DECLARATION OF KEVIN T. SNIDER